



759-201-A/FWC
102531

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 58448
Anticipated Classification Of This Application:
Class _____ Subclass _____
Prior Application:
Examiner: M. Zanelli
Art Unit: 2304

Box FWC
Commissioner of Patents and Trademarks
Washington, D.C. 20231

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10-1

FILE WRAPPER CONTINUING APPLICATION (FWC) (37 CFR 1.62)

1. This is a request for a filing under the file wrapper continuing application procedure, 37 CFR 1.62, for a
[X] continuation.
[] divisional.
[] continuation-in-part (for oath or declaration see 3 below).
[] attached is an amendment for added subject matter.

PARTICULARS OF PRIOR APPLICATION

A. Application Serial No. 07/964,126, filed October 20, 1992.

B. Title (as originally filed) APPARATUS AND METHOD RESPONSIVE TO THE-ON-BOARD MEASURING OF HAULAGE PARAMETERS OF A VEHICLE (and as last amended) _____

C. Name of applicant(s) (as originally filed and as last amended) and current correspondence address of applicant(s):

FULL NAME OF FIRST INVENTOR

FAMILY NAME

Hagenbuch

FIRST GIVEN NAME

LeRoy

SECOND GIVEN NAME

G.

RESIDENCE AND CITIZENSHIP

CITY

Peoria

STATE OR FOREIGN COUNTRY

Illinois 61614

COUNTRY OF CITIZENSHIP

United States of America

POST OFFICE ADDRESS

POST OFFICE ADDRESS

4602 North Rosemead

CITY

Peoria

STATE & ZIP CODE/COUNTRY

Illinois 61614

Certification under 37 CFR 1.10 (if applicable)

TB119570704US

"Express Mail" mailing number

August 4, 1993

Date of Deposit

I hereby certify that this application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

NEIL VANEGRAS
(Typed or printed name of person mailing application)

Neil Vanegas
(Signature of person mailing application)

FULL NAME OF SECOND INVENTOR

FAMILY NAME

FIRST GIVEN NAME

SECOND GIVEN NAME

RESIDENCE AND CITIZENSHIP

CITY

STATE OR FOREIGN COUNTRY

COUNTRY OF CITIZENSHIP

POST OFFICE ADDRESS

POST OFFICE ADDRESS

CITY

STATE & ZIP CODE/COUNTRY

FULL NAME OF THIRD INVENTOR

FAMILY NAME

FIRST GIVEN NAME

SECOND GIVEN NAME

RESIDENCE AND CITIZENSHIP

CITY

STATE OR FOREIGN COUNTRY

COUNTRY OF CITIZENSHIP

POST OFFICE ADDRESS

POST OFFICE ADDRESS

CITY

STATE & ZIP CODE/COUNTRY

 Continued on added page for Inventor's Data.

The above-identified application, in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

2. Inventorship Statement

This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are

the same.

less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted: _____.

This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application whose particulars are set out above, the inventors in this application are

the same.

add the following additional inventors: _____.

The inventorship for all the claims in this application is
 the same.
 not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

3. Declaration or Oath

A. Continuation or divisional
 none required

B. Continuation-in-part
 attached

executed by (check all applicable items)

inventors
 legal representative of inventor(s) 37 CFR 1.42 or 1.43
 joint inventor or person showing a proprietary interest for inventor who refused to sign or cannot be reached 37 CFR 1.47

This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached (See item 8 below for fee.)

not attached

Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all of the above named applicant(s). (The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently.)

Showing that the filing is authorized. (Not authorized unless called into question. 37 CFR 1.41(d).)

4. Identification Of Claims For Further Prosecution

The fees to be charged are to be based on the number of claims remaining as a result of
 the attached preliminary amendment.
 the unentered amendment filed under 37 CFR 1.116 in the prior application, which is now repeated.
 the claims as on file in the prior application.

5. Fee Calculation (37 CFR 1.16)

CLAIMS AS FILED				Basic Fee	
Number Filed		Number Extra		Rate	\$710.00
Total Claims	50	- 20 =	30	x \$ 22.00	\$660.00
Independent Claims	5	- 3 =	2	x \$ 74.00	\$148.00
Multiple Dependent Claim(s), if any				+ \$230.00	\$0.00

Fee for extra claims is not being paid at this time (37 CFR 1.16(d)).

Filing Fee Calculation \$1,518.00

6. Petition For Suspension Of Prosecution For The Time Necessary To File An Amendment

There is provided herewith a Petition to Suspend Prosecution For The Time Necessary To File An Amendment (New Application Filed Concurrently).

7. Small Entity Status

A verified statement that this filing is by a small entity:
 is attached
 The small entity statement was filed in the parent application Serial No. 351,179, which parent application was filed on May 12, 1989, and this status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

Filing Fee Calculation	<u>\$ 759.00</u> (50% of above)
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8. Fee Payment Being Made At This Time

No filing fee is submitted.

<input checked="" type="checkbox"/> Filing fee	<u>\$ 759.00</u>
<input type="checkbox"/> Recording Assignment	<u>\$ 0.00</u>
<input type="checkbox"/> Petition fee for filing by other than all the inventors or person not the inventor where the inventor refused to sign or cannot be reached	<u>\$ 0.00</u>
<input type="checkbox"/> Processing and retention fee	<u>\$ 0.00</u>

9. Method Of Payment Of Fees

<input checked="" type="checkbox"/> Attached is check in the amount of	<u>\$ 759.00</u>
<input type="checkbox"/> Charge Account No. 12-1216 in the amount of	<u>\$ _____</u>
<input type="checkbox"/> A duplicate of this request is attached	<u>\$ _____</u>

10. Authorization To Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of this application to Account No. 12-1216:

37 CFR 1.16(a), (f), or (g)
 37 CFR 1.16(b), (c), and (d)
 37 CFR 1.16(e)
 37 CFR 1.17
 37 CFR 1.18

11. Instructions As To Overpayment

Credit Account No. 12-1216
 Refund

12. Priority

Priority of application number _____ filed on _____ in _____ is claimed under 35 U.S.C. 119.

The certified copy was filed on _____ in prior U.S. application Serial No. 07/964,126, which prior application was filed on October 20, 1992.

Certified copy will follow.

13. Relate Back - 35 U.S.C. 120

Amend the specification by inserting before the first line the sentence:

"This is a
[X] continuation
[] divisional
[] continuation-in-part
of copending application(s)
[X] serial number 07/964,126 filed on October 20, 1992."
[] International Application filed on _____
and which designated the U.S."

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14. Assignment

[] The prior application is assigned of record to Philippi-Hagenbuch, Inc.
[] An assignment of the invention to Philippi-Hagenbuch, Inc. is attached.

15. Power of Attorney

The power of attorney in the prior application is to John B. Conklin, Reg. No. 30,369, et al., Leydig, Voit & Mayer, Ltd., Two Prudential Plaza, Suite 4900, Chicago, Illinois 60601-6780.

[X] The power appears in the original papers in the prior application.
[] The power does not appear in the original papers, but was filed on

[] A new power has been executed and is attached.
[X] Address all future communications to:

John B. Conklin
Registration No. 30,369
Leydig, Voit & Mayer
Two Prudential Plaza, Suite 4900
180 North Stetson
Chicago, Illinois 60601-6780
(312) 616-5600

16. Maintenance Of Copendency Of Prior Application

[X] A petition, fee and response has been filed to extend the term in the pending prior application until August 5, 1993.

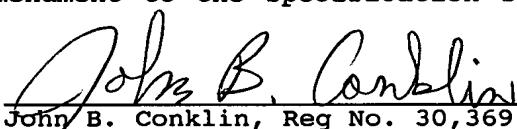
[X] A copy of the petition for extension of time in the prior application is attached.

17. Abandonment Of Prior Application

[X] Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in the application is granted and when this application is granted a filing date so as to make this application copending with said prior application. At the same time please add the words "now abandoned" to the amendment to the specification set forth in 13 above.

Date: August 4, 1993

LEYDIG, VOIT & MAYER
Two Prudential Plaza, Suite 4900
180 North Stetson
Chicago, Illinois 60601-6780
(312) 616-5600


John B. Conklin, Reg No. 30,369

[] Plus ADDED PAGE FOR INVENTOR'S DATA FOR FWC FILING